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C O N F I D E N T I A L SECTION 01 OF 03 BAGHDAD 000642

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TAGS: [PGOV](#) [KDEM](#) [IZ](#)  
SUBJECT: RRT ERBIL: KRG ELECTIONS PREVIEW

REF: A. A. 08 BAGHDAD 4078  
[B. B. BAGHDAD 476](#)

Classified By: RRT Leader Lucy Tamlyn; reasons 1.4 (b) and (d)

This is an Erbil Regional Reconstruction Team (RRT) cable.

[1](#)1. (C) SUMMARY: Key issues for the Kurdistan regional parliamentary elections remain undecided, and the President has yet to sign an important amendment to the election law. Nonetheless, the KDP and PUK have already announced the details of post-elections power-sharing, including swapping the posts of Prime Minister (currently KDP) and Speaker of the House (currently PUK) between the two parties. The decision to use closed lists for the elections has provoked some press criticism. Although smaller political parties and independent political figures support open lists, the KRG leadership sees closed lists as essential for maintaining control of the PUK/KDP coalition, and ensuring that the Kurdistan Region speaks with one voice to Baghdad. A coalition of Islamic and other smaller political parties, and one break-away PUK list are all under pressure to join the coalition rather than run independently. END SUMMARY.

PRESIDENT BARZANI SENDS THE ELECTION LAW BACK TO PARLIAMENT  
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[1](#)2. (SBU) The Kurdistan Regional Government (KRG) announced that parliamentary elections should be held on May 19, a date of special significance, as this was the date of the first elections in 1992 in the autonomous region. However, the bill naming the date has yet to be signed into law by President Barzani. RRT Team Leader was informed by Kurdistan National Assembly (KNA) Speaker Adnan Mufti on March 1 that the President sent the bill back to the KNA parliament with four issues: 1) the President felt that the Iraqi constitution gave the region the right to supervise its own elections, and therefore asked that the Kurdistan Regional Elections Office (KREO) organize the elections rather than IHEC; 2) a question on the choice of the Arabic word used to describe a political entity, which effectively defines who would be eligible to run on a list (all KNA laws are drafted in Arabic); 3) a request to make it possible for Iraqi Kurds outside of Iraq to vote and 4) a request that the Kurdistan High Judicial Council, rather than a federal body, resolve election challenges

REVISED BILL EXPECTED SHORTLY  
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[1](#)3. (SBU) Mufti was confident that with these changes the bill would be signed by the President (he has in fact only one chance to reject a bill) and that elections would continue to be scheduled for May 19. The mandate of the current parliament expires on June 4, 2009. To stay on track, the President will need to call for elections to be held 60 days before elections are to take place.

[1](#)4. (C) According to Mufti, the KNA will discuss the President's requests and send the bill back for signature

sometime this week, when he returns from Europe. Mufti said that the KNA will explain to President Barzani that there is no viable Kurdistan electoral commission, that supervising elections is a federal function, and that IHEC should do it (the elections will, in turn, be paid for from the federal budget). As to what sort of political entities are allowed to run, if the KNA goes with President Barzani's preference, independent lists not associated with a political party (such as one former PUK Deputy Secretary General Nawshirwam Mustafa might put forward) would seem to be effectively blocked. Out-of-country voting will not be possible to arrange at this QOut-of-country voting will not be possible to arrange at this late date and will not be included, according to Mufti. (He added that out-of-country voting was simply not possible under any circumstances.)

15. (C) On March 4, KNA Deputy Speaker Kamal Kirkuki met with IHEC officials in Erbil. He told visiting Senior Advisor Krajewski he is willing to allow the May 19 date to slip to June if additional preparation time is needed. Kirkuki welcomed the presence of international observers. He mentioned that the KRG was still negotiating three additional points it wants:

- ballots to be counted in the KRG not Baghdad
- joint IA/Peshmerga to provide election security, not just IA
- the GoI to pay for these elections out of the amount the GoI subtracts from the KRG's 17% budget allocation for federal functions.

#### OPEN VS CLOSED LISTS

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16. (C) The decision to hold elections with closed lists continues to be contested by the Islamic parties KIU and KIG, which have submitted a separate bill to the KNA to change the election process to an open-list format. Speaker Mufti argued that open lists would make it impossible to retain the KDP-PUK coalition in its current form (i.e. a proportional split between KDP and PUK of all seats won by that combined slate) because the party with more popular individual candidates could conceivably do better. He asserted that, at this point in the Region's history, it was important to "speak with one voice to Baghdad." Pshtiwan Sadek, Head of the powerful KDP "2nd Branch" (an influential party office in Erbil), told RRTOff "open lists will not work in Kurdistan. People do not have enough education to use them, and an open-list system needs an entire year of campaigning. If someone does not like one of my candidates, he or she had better vote for another list." Some Kurdish politicians argue that open lists could dredge up KDP-PUK animosities, risking a resumption of the KDP-PUK violence that occurred in the 1990's, and weakening the KRG's ability to deal with Maliki and the central government at a time of heightened Kurd-Arab tensions. However, Jawhar Namiq, a prominent independent politician, told Rozhnama newspaper that this decision by the KDP and PUK proved they were afraid of being punished at the polls by the people of the Kurdistan Region, whom he characterized as angry and dissatisfied.

#### CURRENT KNA MAKEUP

17. (U) The 111-member parliament is dominated by the KDP/PUK coalition, which includes the PUK, the KDP and a raft of smaller parties. The two main political parties control 80 seats, with the KDP holding 42 and the PUK 38. The Islamic Union of Kurdistan (KIU) has nine seats and the Kurdistan Islamic Group (KIG) six. Turcomen and Assyrians each have four seats. Communists have three; the Kurdistan Socialist Democratic Party (KSDP) has two; and the three remaining parties have one seat each: Kurdistan Toilers' Party, Kurdistan Laborers' and Toilers' Party, and the Kurdistan

Democratic National Union. With the exception of the Kurdistan Islamic Union and the Kurdistan Toilers' party, all remaining parties ran on the list known as the Kurdistan National Democratic List for the 2005 parliamentary elections.

#### BREAK-AWAY PARTIES

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18. (U) On January 10, four minor opposition parties, (Kurdistan Islamic Union, Kurdistan Islamic Group, Kurdistan Toilers' Party and Kurdistan Socialist Democratic Party) stated that they would run as an opposition list against the KDP/PUK Coalition and released a report criticizing the performance of the KRG. The parties call for the merger of dual-party ministries; passage of the Kurdistan constitution and increased protection for human rights. They also call for a reduction in political party influence in government operations; a reduction in centralization and an increase in powers granted at the local level.

19. (SBU) Following the announcement, the press reported that President Talabani met with KIG Head Ali Bapir and KIU Head Salahaddin Bahaddin to asked them to tone down the rhetoric and to convince them not to run as a bloc. According to KIU Head Bahaddin, Talabani also met privately with the Secretaries General of both the KDSP and KTP parties as well.

RRT contacts see a "divide and conquer strategy," with the secular parties being encouraged not to align with the Qsecular parties being encouraged not to align with the Islamic parties, and the Islamic parties being encouraged back to the fold. Both the KIU and KIG Heads have told RRTOff recently that the four-party bloc had yet to decide whether it will run as one list, as independent parties, or grouped with other parties. As reported reftel B, former PUK Deputy Secretary General Nawshirwan Mustafa has also announced that he will create a separate list, thereby threatening to draw votes away from the PUK and challenging the KDP/PUK agreement.

#### PUK/KDP POWER SHARING AGREEMENT

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110. (C) Although the elections have not yet taken place, the KDP and PUK announced on February 2 that the Prime Minister position would fall to the PUK, and the Speaker position to the KDP. (Comment: The parties had decided on the same arrangement for the 2005 elections, but had problems selecting suitable candidates to fill the slots. We do not know whether the switch will come to pass in 2009. Speaker Adnan Mufti informed RRT Team Leader that in any event he did not intend to continue as speaker. End

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comment).

#### NO ACTION ON THE CONSTITUTION OR KRG PROVINCIAL POWERS LAW

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111. (SBU) Our contacts in the Assembly do not believe provincial elections in the KRG or the referendum on the KRG constitution will be held simultaneously with parliamentary elections. Speaker Mufti explained that the disputed territories must be resolved before the constitutional referendum, so that all citizens may participate. Although drafting concluded in October 2008, there is still debate as to whether the President should be elected by popular vote (as reflected in the current draft) or by the Parliament. The Provincial Powers law (reftel A) is also still under discussion. According to RRT contacts in the KNA, the lack of movement on the bill reflects a reluctance to redistribute power from the central KRG government to local districts. Provincial officials and the KNA want a further devolution of authority, while the Council of Ministers wants to keep power centralized. Parliamentarian Arez Abdullah informed RRTOff that irreconcilable conflicts between the KDP and PUK versions had ultimately shelved discussion of the law.

COMMENT

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¶13. (C) There are many questions still about elections in the Kurdish Region, including the exact timing and who will administer them. The federal election commission, IHEC, is hardly a perfect institution, but it has far more institutional experience than a nascent Kurdish election administration and it might be able to offer genuinely useful counsel and management advice. The use of closed lists and the still-to-be-determined definition of rules regarding who may run for the election shows the extent to which the politics of the Kurdistan Region continue to be dominated by the PUK/KDP coalition, even as its popularity is challenged and political rivals try to open up the system. International support might help give voters a genuine choice, but the heavy control reflex of the two dominant parties, the PUK and KDP, will make leveraging any genuine opening very difficult. End comment.

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